

REMARKS

In the present Office Action, the Examiner rejects claims 2 through 4 as anticipated under 35 U.S.C. 102(b) over the MacWEEK article entitled “Navigator tricks raise concerns” (“MacWEEK”). The Examiner also rejects claims 2 through 4 as obvious under 35 U.S.C. 103(a) over MacWEEK. Claims 2 through 4 are further rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Finally, the Examiner objects to the title of the invention as not being descriptive. Applicants respectfully request reconsideration and withdrawal of the rejections and objections in light of the remarks below.

With regard to the objection to the title of the invention, Applicants submit herewith an amendment to the specification replacing the title of the invention with a new title that is clearly indicative of the invention to which the claims are directed. Accordingly, withdrawal of the objection is respectfully solicited.

With regard to the rejection under 35 U.S.C. 112, second paragraph, applicants submit herewith amendments to the claims to provide clear antecedent basis; no new matter has been added. In the event that additional antecedent basis issues exist with the pending claims, the Examiner is hereby authorized, without the need of further contact by the Examiner, to enter an Examiner’s Amendment to correct these potential issues. Applicants respectfully request withdrawal of the rejection in view of the present amendments.

The Examiner rejects claims 2 through 4 as anticipated by and obvious in view of MacWEEK; Applicants respectfully disagree. MacWEEK presents a discussion

of the inclusion of support for JavaScript and Cookies in Netscape Communications Corp.'s Netscape Navigator 2.0 browser application. Although it is unclear as to the specific portions of MacWEEK upon which the Examiner is relying, Applicants are of the position that the only relevant portions of MacWEEK are those discussing JavaScript and not Cookies, which are client-side persistent data objects, not instructions as claimed. With regard to JavaScript, MacWEEK discusses that JavaScript is suited to performing a range of tasks, "from scrolling text to launching an applet." MacWEEK also discusses the reported use of "JavaScript to retrieve a user's e-mail address, real name and activity from the Netscape cache file, which documents a user's movements on the Web." Finally, MacWEEK discusses the use of "JavaScript to create an agent that checks every second to see what page a user is on, automatically forwarding this information back to [a] server."

Contrary to the Examiner's conclusion, Applicants respectfully assert that MacWEEK fails to identically disclose, teach or suggest the elements of the pending claims. Each of independent claims includes a variant of the step of running instructions linked to by a web page to generate (or generating) an indication of receipt of an HTML page or navigation by a client to a given web page. Indeed, MacWEEK is silent with regard to using instructions to generate information. One example that MacWEEK provides discusses the collection of information already residing on the client (e.g., from the Netscape cache file), which is inconsistent with the generation of information.

The second example that MacWEEK provides is ambiguous with regard to how the JavaScript obtains information that identifies what page a user is on. Applicants assert that there is no teaching beyond examination of the browser cache to retrieve

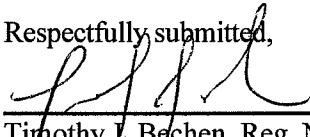
already existing information with regard to page navigation. Indeed, this second example teaches away from the present claims in that the JavaScript is resident on the client and not linked to by a web page ("He said JavaScript code is not supposed to stay on the client after a user leaves a site. However, the security measure was not activated in the final version of Navigator 2.0."). Moreover, for example, claim 2 recites "first instructions linked by the first HTML document," and "the second HTML document comprising a link to one or more second instructions," whereas the above-example from MacWEEK discusses one single set of malicious code that was (at the time of the article) being actively disabled. Therefore, MacWEEK is not a proper anticipatory reference. Regarding the obviousness rejection, Applicants further assert that MacWEEK fails to teach or suggest how the JavaScript agent operates and therefore does not enable one of skill in the art to arrive at the presently claimed invention.

For at least all of the above reasons, Applicant respectfully requests that the Examiner withdraw all rejections and objections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the examiner is invited to call the Applicants' undersigned representative to discuss any issues relating to this application.

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THIS CORRESPONDENCE IS BEING
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THROUGH THE PATENT AND
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Respectfully submitted,



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